A Good Call by the Acting FBI Director

Talking to reporters in South Carolina the other day, L. Patrick Gray III, the acting director of the FBI said that he would submit his resignation to the President after the election and added the suggestion that it be made a standard practice for the director to do so every four years. We welcome Mr. Gray's words—but not because we think he ought to leave the job in November. On the whole, we think his innovations at the Bureau have been sensible, useful and long overdue. And, at this point, we have no view as to whether the President, if re-elected should re-appoint Mr. Gray. That is a judgment that should wait on time, circumstances and presidential options available at the time.

What we do commend, however, is the judgment that the bureau is such an important institution and the director's job such an important and powerful one in our scheme of government, that the directorship should never again pass from presidential and congressional control. We also welcome Mr. Gray's sensitivities to those facts even in the face of published reports that he would like a full appointment to the post (the next director will, by statute, be required to go through a full-dress senate confirmation.)

When Mr. Gray said that the acting director or the director should not "endeavor to build up an individual constituency," he just about said it all. Mr. Gray's predecessor stayed in the job so long and accumulated so much power that his shadow overwhelmed one of the most important realities in our national life: the truth about the FBI. No rational analysis was possible of the role played by the bureau in the government, of the appropriateness of the functions assigned to it, of its efficiencies or its areas of ineptitude, or of the rumor, innuendo and suspicions that came to surround it. Mr. Hoover inspired at once, such strong loyalties and fierce hatreds that attempts at objective discourse were smashed on the rock of his towering image.

The fact is that there are serious problems with which the people, the government and the Director of the bureau have to wrestle. These include: whether criminal investigations and national security matters—which are sometimes easily confused—belong in the same agency; the relationship of the bureau to the other agencies in the intelligence community; the relationship of the bureau to state and local law enforcement agencies and to the Law Enforcement Assistance Agency; the ways in which the public can be reassured about the role being played by a federal law enforcement agency in a free society and the amount of information that is made public about that agency.

These are not easy questions. Scholars, advocates of law and order, civil libertarians and the general public can debate them for years . . . and probably will. The debate should be healthy, but it will only be useful if it has some impact on the governance of the bureau. That, in turn, can only happen if the bureau and the director are truly responsible to their superiors in the administration, in the Congress and ultimately to the hot breath of public opinion.

Although much remains to be done, it seems to us that the best proofs of our last proposition are the innovations which Mr. Gray has undertaken in the brief time he has held the job.